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To:	Company:	Facsimile No:	Telephone No:
Mail Stop Petition	Commissioner for Patents	571.273.8300	
From:	Monique A. Morneault	Direct Phone:	312.984.7699
E-Mail:	mmorneault@mwe.com	Direct Fax:	312.984.7700
Sent By:	Sarah J. Goodnight	Direct Phone:	312.984.2089
Client/Matter/Tkpr:	077153-0020-09496	Original to Follow by Mail:	No
		Number of Pages, Including Cover:	14
Re:	Petition for Reconsideration Under 37 CFR 1.378(e)		

Message:

Please see attached Petition for Reconsideration.

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OFFICE OF PETITIONS**

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Main Facsimile: 312.984.7700 Facsimile Assistance: Outgoing Faxes: 312.984.2147; Incoming Faxes: 312.984.2134

U.S. practice conducted through McDermott Will & Emery LLP.
227 West Monroe Street Chicago, Illinois 60606-5096 Telephone: 312.372.2000

JAN 15 2008

Application No. 077153-0020

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent No. 6,305,621
Issue Date: October 23, 2001
Application No.: 09/516,076
Filed: March 1, 2000

Examiner: n/a

Art Unit: n/a

For: PIVOTING FLUID CONDUIT AND ONE-
WAY BRAKE

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JAN 24 2008

Mail Stop Petition
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

OFFICE OF PETITIONS

PETITION FOR RECONSIDERATION UNDER 37 C.F.R. § 1.378(e)

Dear Sir:

This is in response to Decision on the Petition under 37 C.F.R. 1.378(c) filed May 14, 2007 to accept the delayed payment of a maintenance fee for the above patent. The petition was dismissed because it was alleged the Petitioner was not authorized to charge the deposit account.

Petitioner respectfully submits that it was authorized to charge the deposit account as a member of the authorized firm associated with the above patent. A Supplemental Reissue Application Declaration and Power of Attorney of joint Inventors, giving authorization to the present firm, and naming the undersigned as the contact, was submitted on April 16, 2007 (copy attached). Therefore, Petitioner disagrees with the conclusion that it was not authorized to charge the deposit account, and respectfully submits this Petition for Reconsideration and the required fee of \$400 is not necessary.

However, in order to complete this project, please again charge the required maintenance fee of \$450 and the petition fee of \$400, as well as any additional fees or credit any overpayments associated with this Petition for Reconsideration to our Deposit Account No. 13-0206. Please note that the surcharge of \$1640 was previously submitted as a check with the original petition filed on May 14, 2007, and therefore this fee is not necessary (copy attached).

Attorney Docket No. 088153-0020
Petition for Reconsideration Under 37 C.F.R. § 1.378(e)

The decision was mailed November 19, 2007. As this Petition for Reconsideration is being filed within two months of the mailing date of the decision, Petitioner submits this Petition is timely filed.

Respectfully submitted,

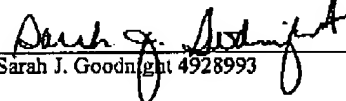
Dated: January 15, 2008

By: 

Daniel N. Christus, Reg. No. 29,626
Customer No. 1923
McDermott Will & Emery LLP
227 W. Monroe
Chicago, Illinois 60606-6630
Telephone: 312.984-7699

CERTIFICATE OF MAILING (37 C.F.R. § 1.8a)

I hereby certify that this correspondence is being sent by facsimile to the Office of Petitions at 571-273-8300 on January 15, 2008.


Sarah J. Goodnight 4928993

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JAN 15 2008

Attorney Docket No. 77153-0020

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Robert W. STEINGASS et al.
Serial No.: 10/692,270
Date Filed: October 23, 2003
Title: Pivoting Fluid Conduit Joint
and One-Way Brake
Examiner: Dinh Q. Nguyen
Art Unit: 3752
Customer No: 1923

CERTIFICATE OF MAILING
I hereby certify that this correspondence is being deposited
with the United States Postal Service as first class mail in
an envelope addressed to Commissioner for Patents, P.O.
Box 1450, Alexandria, VA 22313-1450 on
April 16, 2007.

SIGNATURE: *Daniel N. Christus*
Daniel N. Christus, Reg. No. 29,626DATE OF SIGNATURE: April 16, 2007**SUPPLEMENTAL REISSUE APPLICATION DECLARATION
AND POWER OF ATTORNEY OF JOINT INVENTORS**

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MAIL STOP AMENDMENT

Commissioner for Patents

P.O. Box 1450

ALEXANDRIA, VA 22313-1450

OFFICE OF PETITIONS

DEAR COMMISSIONER:

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and joint inventor of the subject matter which is described
and claimed in U.S. Patent No. 6,305,621 B1, granted October 23, 2001, and for which a Reissue
Application is being sought on the invention entitled "Pivoting Fluid Conduit Joint and One-Way
Brake."

I hereby state that I have reviewed and understand the contents of the above-identified
specification, including the claims, as amended by any amendment specifically referred to in the
oath/declaration.

I acknowledge the duty to disclose information which is material to patentability as
defined in 37 C.F.R. § 1.56.

1

CHI99 4803314-1.077193.0020

I believe the original patent to be wholly or partly inoperative or invalid by reason of claiming more or less than I, as an inventor, had the right to claim in the patent, the excess or insufficiency in the claims being specified below.

The error(s) relied upon in the above statements is as follows:

The claims of the '621 patent are unnecessarily narrow. Thus, I believe that I claimed less than I had a right to claim in the '621 patent. For example, the scope of the invention of the '621 patent is broader than, and not necessarily limited to, a mechanism having all of the recited elements of Claim 1. For example, Claim 1 makes no mention of a monitor housing having a plurality of spiked folding legs and a valve handle. Thus, there has been a failure to appreciate the full scope of the invention.

This reissue is a broadening reissue, and the nature of the broadening is presented in now allowed claims 21, 22, 25 and 26. Some aspects of allowed claims 21, 22, 25 and 26 are narrower, however, than the broadest claims originally sought by Applicants. For example, allowed claims are now directed to a monitor housing having a plurality of spiked folding legs, a valve handle and a pivoting fluid conduit joint comprising a socket and a ball disposed in the socket for movement relative to the socket.

Every error in the patent which was corrected in the present Reissue Application, and which is not covered by the prior oath(s) and/or declaration(s) submitted in this application, arose without any deceptive intention on the part of Applicant. Further, all amendments filed as of this date correct all errors.

U.S. Patent No. 6,305,621 B1 has been assigned. A Consent to Reissue by the assignee was previously filed.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application which designated at least one country other than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate, or PCT international application having a filing date before that of the Application on which priority is claimed:

Prior Foreign Application(s)

Priority
Claimed(None)
Number

Country

Day/Month/Year
Filed

Yes No

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

(None)
Application Number

Filing Date

I hereby claim the benefit under 35 U.S.C. § 120 of any United States Application(s), or § 365(c) of any PCT International Application designating the United States, listed below and, insofar as the subject matter of each of the Claims of this Application is not disclosed in the prior United States or PCT International Application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. § 1.56 which became available between the filing date of the prior Application and the national or PCT international filing date of this Application:

(None)
Application Number

Filing Date

Status

I hereby appoint the attorneys associated with Customer Number 1923 to prosecute this Application and transact all business in the Patent and Trademark Office connected therewith. SEND CORRESPONDENCE AND DIRECT TELEPHONE CALLS TO:

Daniel N. Christus, Esq.
McDermott Will & Emery LLP
227 West Monroe Street
Chicago, Illinois 60606
Phone: 312-984-7689
Fax: 312-984-7700

I hereby declare all statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are

punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the Application or any patent issued thereon.

Full Name of First Joint Inventor: **David J. Kolacz**
Residential Street Address: 16719 West 9th Road
City and State/Province: Plymouth, Indiana
Country and Zip/Postal Code: U.S.A. 46563
Citizenship: United States of America
Mailing Address: (Same as above)

INVENTOR'S
SIGNATURE:

Date:

Full Name of Second Joint Inventor: **Ross Mack**
Residential Street Address: ~~4305 Beech Lago Drive~~ P.O. Box 462
City and State/Province: Valparaiso, Indiana
Country and Zip/Postal Code: U.S.A. ~~46383~~ 46384
Citizenship: United States of America
Mailing Address: (Same as above)

INVENTOR'S
SIGNATURE:

Date:

CHI99 4803314-1.077153.0020

4

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OFFICE OF PETITIONS

Full Name of Third Joint Inventor: Robert W. Steingass
Residential Street Address: 202 Oakridge Court
City and State/Province: Valparaiso, Indiana
Country and Zip/Postal Code: U.S.A. 46385
Citizenship: United States of America
Mailing Address: (Same as above)

INVENTOR'S
SIGNATURE:



Date:

April 13th 2007

Full Name of Fourth Joint Inventor: Brian M. Tyllisz
Residential Street Address: 4394 N. 630 W.
City and State/Province: LaPorte, Indiana
Country and Zip/Postal Code: U.S.A. 46350
Citizenship: United States of America
Mailing Address: (Same as above)

INVENTOR'S
SIGNATURE:

DATE:

5

CH199 4803314-1.077153.0020

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JAN 15 2008

Attorney Docket No. 77153-0020

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Robert W. STEINGASS et al.
Serial No.: 10/692,270
Date Filed: October 23, 2003
Title: Pivoting Fluid Conduit Joint
and One-Way Brake
Examiner: Dinh Q. Nguyen
Art Unit: 3752
Customer No: 1923

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on April 16, 2007.

SIGNATURE: *Daniel N. Chrisus*

Daniel N. Chrisus, Reg. No. 29,626

DATE OF SIGNATURE: April 16, 2007

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OFFICE OF PETITIONS

SUPPLEMENTAL REISSUE APPLICATION DECLARATION
AND POWER OF ATTORNEY OF JOINT INVENTORS

MAIL STOP AMENDMENT

Commissioner for Patents

P.O. Box 1450

ALEXANDRIA, VA 22313-1450

DEAR COMMISSIONER:

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and joint inventor of the subject matter which is described and claimed in U.S. Patent No. 6,305,621 B1, granted October 23, 2001, and for which a Reissue Application is being sought on the invention entitled "Pivoting Fluid Conduit Joint and One-Way Brake."

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I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. § 1.56.

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Prior Foreign Application(s)

			<u>Priority Claimed</u>
<u>(None)</u>			
Number	Country	Day/Month/Year Filed	Yes No

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

<u>(None)</u>	
Application Number	Filing Date

I hereby claim the benefit under 35 U.S.C. § 120 of any United States Application(s), or § 365(c) of any PCT International Application designating the United States, listed below and, insofar as the subject matter of each of the Claims of this Application is not disclosed in the prior United States or PCT International Application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. § 1.56 which became available between the filing date of the prior Application and the national or PCT international filing date of this Application:

<u>(None)</u>		
Application Number	Filing Date	Status

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227 West Monroe Street
Chicago, Illinois 60606
Phone: 312-984-7689
Fax: 312-984-7700

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Country and Zip/Postal Code: U.S.A. 46563
Citizenship: United States of America
Mailing Address: (Same as above)

INVENTOR'S
SIGNATURE: _____

Date: _____

Full Name of Second Joint Inventor: **Ross Mack**
Residential Street Address: 1305 Boca Lago Drive
City and State/Province: Valparaiso, Indiana
Country and Zip/Postal Code: U.S.A. 46383
Citizenship: United States of America
Mailing Address: (Same as above)

INVENTOR'S
SIGNATURE: _____

Date: _____

Full Name of Third Joint Inventor: **Robert W. Steingass**
Residential Street Address: 202 Oakridge Court
City and State/Province: Valparaiso, Indiana
Country and Zip/Postal Code: U.S.A. 46385
Citizenship: United States of America
Mailing Address: (Same as above)

INVENTOR'S
SIGNATURE: _____

Date: _____

Full Name of Fourth Joint Inventor: **Brian M. Tylisz**
Residential Street Address: 4394 N. 630 W.
City and State/Province: LaPorte, Indiana
Country and Zip/Postal Code: U.S.A. 46350
Citizenship: United States of America
Mailing Address: (Same as above)

INVENTOR'S
SIGNATURE:  _____

DATE: 4/16/07

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TO
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ORDER
OF


DIRECTOR - U.S. PATENT AND TRADEMARK OFFICE

DATE

05/09/2007

AMOUNT

****1,640.00****


Jeffrey R. Lergano

WALLENSTEIN & WAGNER, LTD.
VENDOR

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